IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8633 of 2005

Between:

M. Satyabhushana Rao S/o M. Naqeswara Rao
R/o 5-8-71, Tenali Vari Street, Ithanagar, Tenalli, Guntur District

..... PETITIONER

AND

1 The Government of Andhra Pradesh,

rep by Principal Secretary, Energy Department,

A.P. Secretariat, Hyderabad
2 The A.P. GeNCO, rep by General Manager (Admn),

Vidyutsouda, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more in the nature of Writ of Mandamus by declaring the action of the 2nd Respondent in filling up the posts of assistant Engineers beyond the posts notified without following merit and rule of Reservation and further after issuance of subsequent notification for conducting recruitment to the posts of Assistant Engineers and issuing appointment orders to some of the candidates who appeared in response to the earlier notification, as arbitrary, illegal and violative of Article 14, 16 of the Constitution of India and consequentially direct the Respondents to appoint the petitioner to the post of Assistant Engineer (Mechanical) with all consequential benefits and to pass such other order or further orders as the Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner :Mr.K.G.K.PRASAD

Counsel for the Respondents : GP FOR ENERGY

The Court at the stage of admission made the following :

ORDER:

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Seeking to declare the action of the second respondent in filling up the posts of Assistant Engineers beyond the posts notified without following merit or rule of reservation and a consequential direction to the respondents to appoint the petitioner to the post of Assistant Engineer(Mechanical) with all consequential benefits, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent-corporation.

It is contended by the learned counsel for the petitioner that the posts are filled up before taking permission from the government. The petitioner was on panel of candidates, but he was not given any appointment and hence he prays to consider his case.

On the other hand, the learned standing counsel represents that the panel of the petitioner has been expired by 17-02-2005 and there is no possibility to consider the case of the petitioner. The statement of the learned counsel for the respondent that the panel expires by 17-02-2005 is not disputed before this Court. When there is no panel existing as on today, the question of considering the case of the petitioner for the post of Assistant Engineer does not arise. Hence the writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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K.C.BHANU, J.

Dated:20..04..2005.

Rns

To

1. The Principal Secretary,

Government of Andhra Pradesh,

Energy Department,

A.P. Secretariat, Hyderabad

2 The General Manager(Admn.),

A.P. GENCO,

Vidyutsoudha, Hyderabad

3 Two CD copies.